



# City of Carmel

## MINUTES

### Carmel Board of Zoning Appeals Regular Meeting Monday, July 26, 2010 6:00 pm Council Chambers

**Present:** James Hawkins, President  
Kent Broach  
Leo Dierckman  
Earlene Plavchak  
Madeleine Torres (absent)  
Connie Tingley, Recording Secretary

**Staff members in attendance:** Christine Barton-Holmes, Planning Administrator  
Rachel Boone, Planning Administrator  
Mike Hollibaugh, Director, Department of Community Services

#### Previous Minutes:

On a motion made by Leo Dierckman and seconded by Jim Hawkins:

**The Minutes for the meeting dated May 24, 2010 were approved as circulated.**

**MOTION CARRIED UNANIMOUSLY**

#### Department Report: Christine Barton-Holmes

- Item 1h., Docket No. 10060008 SUA, OLMC Matthew 25 Center tabled until August 23
  - Will add a couple items to their application
- Item 1i., Docket No. 09020014 A, 646 Johnson Drive Appeal tabled indefinitely

#### Legal Counsel: John Molitor

- Litigation ongoing between Plan Commission and Petitioner for Docket No. 09020014, 646 Johnson Drive Appeal
  - Summary judgment may be filed in near future
- Record filed for cell tower litigation
  - Will be in full litigation
  - Will have conference with the judge for briefing schedule
- Thanks to Madeleine Torres for her years of service on the BZA
  - Area she represents has been annexed into the City
  - Will be replaced by someone living in unincorporated Township area and appointed by the County Commissioners

Jim Hawkins also thanked Madeleine Torres, on behalf of the Board, for all her service on the BZA.

**Public Hearing:**

**1. OLMC Matthew 25 Center TABLED**

The applicant seeks the following special use amendment approval:

**Docket No. 10060008 SUA Appendix A: Use Table New Building for Existing Use**

The site is located at 14598 Oakridge Road on 11.04 acres and is zoned S2/Single-Family Residential. Filed by Paul Reis of Krieg Devault and Glen Ritchey of Our Lady of Mount Carmel.

**2-9. Turkey Hill Minit Markets**

The applicant seeks the following development standards variance approvals:

<b>Docket No. 10050014V</b>	<b>23F.06.02</b>	<b>Minimum 70% frontage</b>
<b>Docket No. 10050015V</b>	<b>23F.08.01</b>	<b>Minimum 0.5 Floor Area Ratio (FAR)</b>
<b>Docket No. 10050016V</b>	<b>3.07</b>	<b>Definition of Changeable Copy</b>
<b>Docket No. 10050017V</b>	<b>25.07.02-10 (b)</b>	<b>Number of signs</b>
<b>Docket No. 10050018V</b>	<b>25.07.02-10 (b)</b>	<b>Number of signs facing South ROW</b>
<b>Docket No. 10050019V</b>	<b>25.07.02-10 (b)</b>	<b>Number of signs facing West ROW</b>
<b>Docket No. 10050020V</b>	<b>25.07.02-10 (c)</b>	<b>Total square footage</b>
<b>Docket No. 10050021V</b>	<b>23F.13.01(A)</b>	<b>Permit ground signs in overlay zone</b>

The site is located at 1221 Range Line Rd.

It is zoned B-8/Business within the Carmel Dr./Range Line Rd. Overlay zone.

Filed by Jon Dobosiewicz of Nelson & Frankenberger on behalf of Steve Fuller of TH Midwest Inc.

**Present for Petitioner:**

**Jon Dobosiewicz and Jim Shinaver, Nelson & Frankenberger; Eric Carter, Weihe Engineers**

- Location aerial shown; northeast corner Range Line Road and Carmel Drive
- Replace former Pizza Hut building with fuel center
- ADLS and DP approvals received July 20, 2010
- Additional exhibits for project distributed
- Site layout (Tab 4); pulled up to Range Line Road
- Unable to meet 70 percent frontage because of site constraints and fuel station
- Existing Range Line Road curb cut will be closed; share right in, right out cut with Kroger
- Predominately screened from Range Line Road
- Constructed balance between size of the building and maneuvering area for fuel section
- Building and street elevations shown (Tab 5)
- Verbally amending sign requests to eliminate wall sign proposed on south elevation
- Three ground signs preferred by Plan Commission
  - Northwest sign for southbound Range Line traffic
  - Southwest sign for northbound Range Line traffic and eastbound Carmel Drive
  - Southeast sign for westbound Carmel Drive traffic
- Traditional two-face corner ground sign would communicate to all frontages
  - However, three low pricing signs will screen parking; more effective aesthetically within Range Line Carmel Drive Overlay
- Images/illustrations shown for signage for corridor (Tab 6)
- Signage will effectively and aesthetically communicate pricing

**Public Hearing closed**

**Department Report:**

**Christine Barton-Holmes: structural variances**

- FAR proposed at site is 12%
  - Surface parking includes fuel pump area
  - Factoring canopy into the ratio brings FAR to 8%
  - Overall mass of building with functional second floor meets intent of Overlay
- Minimum 70% frontage required from Carmel Drive/Range Line Road Overlay
  - Brick knee wall mitigates building that does not come up to Carmel Drive
  - Presence at corner due to overall height and mass, particularly along Range Line

**Department recommended positive consideration of Docket Nos. 10050014 V & 10050015 V**

**Department Report:**

**Rachel Boone**

- Changeable copy sign for gas prices
  - Numbers move on inside of sign; appears to be changed manually
  - Meets need of Petitioner and aesthetic desire of City
  - One sided signs directed to one way of traffic
- Support sign variances for gas pricing
  - 160.29 square feet requested; 75 square feet allowed
- Projecting sign for future second floor tenant
  - Sign will need ADLS Amendment approval at future time

**Department recommended positive consideration of Docket Nos. 10050016 V through 10050021 V**

**Discussion:**

- Wall sign on south elevation of building eliminated
- Lighter brick square on west façade is architectural feature; also on south facade
- Design of second floor projecting blade sign for second story tenant will need ADLS Amendment approval
- Second floor tenant blade sign will face intersection; similar to Noodles sign across the street
- South façade identical to west façade
- Adequate area provided for right-of-way for future roundabout
  - All improvement, building and signage outside future roundabout right-of-way

**Motion:** On a motion made by Leo Dierckman and seconded by Earlene Plavchak:

**Docket Nos. 10050014 V through 10050021 V, Turkey Hill Minit Markets be approved for minimum 70% frontage; minimum 0.5 Floor Area Ratio (FAR); definition of changeable copy, number of signs, number of signs facing South right-of-way; number of signs facing West right-of-way; total square footage and permitted ground signs in Overlay Zone.**

**MOTION CARRIED UNANIMOUSLY**

**Old Business**

**1. 646 Johnson Drive Appeal TABLED INDEFINITELY**

The applicant seeks the following permit issuance appeal:

**Docket No. 09020014 Appeal Appeal of Permit No. 09010003 Accessory Structure Size**

The site is located at 646 Johnson Drive and is zoned R1/Single-family residential

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Filed by: Howard & Holly Green; John & Beryl Colosimo; James & Laura Dunn; Judy Wagner; and Michael & Susan Shaw, neighbors.

### Adjournment

**Motion:** On a motion made by Leo Dierckman and seconded by Earlene Plavchak:

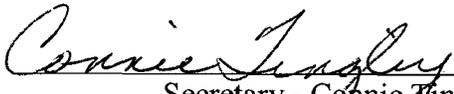
**The Meeting be adjourned.**

**MOTION CARRIED UNANIMOUSLY**

The meeting adjourned at 6:20 PM.

Approved this 23 day of August 2010.

  
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President - James R. Hawkins

  
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Secretary - Connie Tingley